

**REMARKS**

This Response, filed in reply to the Office Action dated May 17, 2007, is believed to be fully responsive to each point of rejection raised therein. Accordingly, favorable reconsideration on the merits is respectfully requested.

Claims 1-4 and 6-10 are pending in the application. Claims 1-10 are rejected under 35 U.S.C. § 102(e) as being allegedly anticipated by Hamabe *et al.* (European Publication No. EP 1 237 296 A2, hereinafter “Hamabe”).

With respect to claim 1, Applicant maintains that Hamabe fails to teach or suggest each feature of claim 1. For example, claim 1 recites determining a share of the load which is due to the transmission over the first channels by subtracting the share of the load which is due to the transmission over the second channels from the actual load of the transmit power amplifier.

Hamabe relates to a method for controlling a sum of transmission powers for all channels for transmissions to be constant. Specifically, a value for the amplified power from the amplifier is supplied for the controller, and indicates a current transmission power. Paragraph 0041. The controller determines the transmission power for the shared channel according to the transmission power of the dedicated channels, so that a sum of transmission powers for the shared channel and for the dedicated channels is maintained constant. Paragraphs 0020 and 0021.

Hamabe does not suggest determining the transmission power for the dedicated channels, which allegedly correspond to the first channels, by subtracting the transmission power for the

shared channel, which allegedly corresponds to the second channel, from the transmission power of the amplifier. The transmission power of the shared channel is increased/decreased, when the transmission power of the dedicated channels is increased/decreased. Therefore, in Hamabe, the transmission power of the dedicated channels is monitored or measured. In contrast, according to exemplary embodiments of the present invention as described in claim 1, a share of the load which is due to the transmission over the first channels is calculated by subtracting the share of the load which is due to the transmission over the second channels from the actual load of the transmit power amplifier.

In view of the foregoing, claim 1 is patentable. Claims 2-4 and 6-7 are patentable at least because of their dependency from claim 1. Claims 8-10 are patentable at least for reasons analogous to these submitted above for claim 1 because claims 8-10 recite features analogous to these of claim 1 that are not taught by Hamabe. Claim 5 has been cancelled without prejudice and disclaimer. Therefore, the rejection of claim 5 is moot.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.116  
U.S. Appln. No.: 10/781,627

Attorney Docket No.: Q79775

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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